IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

Crl.Rev.Pet.No. 4107 of 2006(C)

CRA.177/2005 of ADDL. SESSIONS COURT (ADHOC-III), KASARAGODE
CC.612/2003 of JUDL. MAGISTRATE OF FIRST CLASS, KASARAGOD

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REVN. PETITIONER: APPELLANT/ACCUSED:

PARAKKADAVU NARAYANAN, AGED 46 YEARS,
S/O. T.KANNAN, PULIKODE HOUSE, MUNNAD VILLAGE &
POST, KASARGOD TALUK.

BY ADV. SRI.SURESH KUMAR KODOTH

RESPONDENTS: RESPONDENTS/COMPLAINANT/STATE:

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1. BABY E.NAIR, S/O. GOPALAN NAIR,
PERYA HOUSE, MUNNAD P.O., MUNNAD, KASARGOD TALUK.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI C.K. SURESH
SRI.K.P.BALAGOPAL R2

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 30/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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CRL. R.P. NO. 4107 OF 2006

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Dated this the 30th day of January, 2007

O R D E R

Heard. Admitted. took notice for first respondent and Public Prosecutor for second respondent. Criminal Revision Petition itself is heard and disposed of as agreed to by counsel on both sides.

2. Revision petitioner was found guilty of an offence punishable under Section 138 of the Negotiable Instruments Act in on the file of the Judicial First Class Magistrate, Conviction and sentence were confirmed by the learned Sessions Judge in . Hence this Criminal Revision Petition.

3. It is submitted by counsel on both sides that matter has been settled out of court. Parties have filed Crl. M.A. for compounding the offence. Today I have allowed that application. Hence this Criminal Revision Petition is only to be allowed.

In the result, Criminal Revision Petition is allowed. Conviction and sentence imposed on the revision petitioner under Section 138 of the Negotiable Instruments Act are hereby set

aside. Revision Petitioner is acquitted under Section 320(8) of the Code of Criminal Procedure.

K. PADMANABHAN NAIR, J.

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CRL. R.P. NO.

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O R D E R

4TH JANUARY, 2007